

1-1 By: Watson S.B. No. 1440
1-2 (In the Senate - Filed March 6, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 6, 2009, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 6, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to orders and judgments rendered by associate judges in
1-9 child support and child protection cases.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 201.1041, Family Code,
1-12 is amended to read as follows:

1-13 (a) If a request for a de novo hearing before the referring
1-14 court is not timely filed or the right to a de novo hearing before
1-15 the referring court is waived, the proposed order or judgment of the
1-16 associate judge, other than a proposed order or judgment providing
1-17 for enforcement by contempt or the immediate incarceration of a
1-18 party, shall become the order or judgment of the referring court by
1-19 operation of law without the signature of the judge of the referring
1-20 court or ratification by the referring court.

1-21 SECTION 2. Subsection (a), Section 201.2041, Family Code,
1-22 is amended to read as follows:

1-23 (a) If a request for a de novo hearing before the referring
1-24 court is not timely filed or the right to a de novo hearing before
1-25 the referring court is waived, the proposed order or judgment of the
1-26 associate judge becomes the order or judgment of the referring
1-27 court by operation of law without the signature of the judge of the
1-28 referring court or ratification by the referring court.

1-29 SECTION 3. This Act takes effect immediately if it receives
1-30 a vote of two-thirds of all the members elected to each house, as
1-31 provided by Section 39, Article III, Texas Constitution. If this
1-32 Act does not receive the vote necessary for immediate effect, this
1-33 Act takes effect September 1, 2009.

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